

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.18749 OF 2004

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Dated : 14th September, 2005

Between:

1. Mallela Venkatanarayana and another. .. Petitioners

And

1. The Superintendent of Police, Guntur,
Guntur District & three others. ... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

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ORDER :

This writ petition is filed seeking a declaration that the action of the respondents in not filing the closure report under Section 173 (2) of Cr.P.C. in Crime No.111 of 2003 on the file of Narasaraopet Rural Police Station, Narasaraopet, Guntur District as arbitrary and illegal.

Pursuant to Rule Nisi ordered, on behalf of the official respondents 1 to 3, a counter-affidavit has been filed denying the allegations made. That apart, the learned Government Pleader, under instructions, states that the investigation has been completed and it was found that the evidence borne on record was inadequate and that it is a false case made out by the de facto complainant. Accordingly necessary orders were issued permitting the investigating officer to refer the case as 'false' and to submit the closure report.

In the circumstances, no further adjudication is necessary in the writ petition.

Accordingly, recording the statement of the learned Government Pleader, and making it clear that the respondents 1 to 3 shall take necessary steps expeditiously in accordance with law to file the closure report, the Writ Petition is closed. No costs.

14th September, 2005.

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THE HON'BLE Ms. JUSTICE G. ROHINI

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